DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H12-0892-22**	**Applicant:**	**Mrs C Hyden**
Proposal:	Installation of solar panels to roof of garage		
Location:	Garnsgate Hall Lutton Garnsgate Long Sutton		
Terminal Date:	15th November 2022		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01	Spatial Strategy
02	Development Management
03	Design of New Development
29	The Historic Environment
31	Climate Change and Renewable and Low Carbon Energy

National Guidance

National Planning Policy Framework 2021

Sections 12, 14 and 16 of the National Planning Policy Framework (2021)

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	0
WARD MEMBER	0	0	0	0

CASE OFFICER ASSESSMENT

Proposal

This Planning Application is for the installation of solar panels to the roof of the Garage at Garsgate Hall, Lutton Garnsgate, Long Sutton. The Panels are proposed to be fitted onto both elevations of the roof pitch.

Site Description

Garnsgate Hall is a Grade II* Listed, early 18th Century house. The Historic England Listing

description describes the building as such:

"House and adjoining walls. Early C18 with C19 and C20 alterations. Red brick. Slate roof. 2 gable and single ridge stacks. Single gable stack to the rear. Brick coped gables. C20 patching to eaves with wooden cornice. Plinth and first floor band. T-plan. 2 storeys, 7 bays. Central doorway now part blocked with inserted glazing bar sash. C19 porch open to front with Doric half columns and carved heads on dosserets. Either side are single narrow glazing bar sashes and further left and right 2 glazing bar sashes. Corresponding window pattern above with glazing bar sash over doorway. All sashes with flush wedge lintels. Left gable wall with stepped band to first floor. Projecting from the left is a red brick wall broken by a small gateway with 2 red brick piers with moulded ashlar coping and terminating in a single similar pier. Extending from this pier at a right angle in front of the house are spiked iron railings broken by 2 small gateways and terminating in a single similar pier. Interior. Moulded and bolection panels to a single room and single wall of a further room. 2 rooms on the first floor with similar panelling, one with bolection fire surround. Some doors with moulded panels and L hinges. Panelled shutters. Fielded panels to stairs. Good open well staircase extending to the top floor with barley sugar balusters with turned bases."

The associated boundary wall and railings should also be noted as they form an integral part of the listing.

The garage structure which is the subject of this planning application is a Late C20th addition, and is not considered to be a part of the listing. It is of red brick construction, featuring 2 sets of timber garage doors and a central timber door on the Eastern elevation, a slate roof and conservation style roof lights on both East and West roof pitches.

The area surrounding the property is characterised as open countryside and the only properties in close proximity to the application site are unremarkable C20th agricultural buildings.

History

H12-0372-94

Proposed alterations internally and externally. APPROVED on 05/04/1995

H12-0075-10

External security alarm box (retrospective). APPROVED on 01/04/2010

H12-0309-10

Internal Works. APPROVED on 27/07/2010

H12-0308-10

Erect timber stables and timber gates with post and rail fence. APPROVED on 27/07/2010

H12-0661-10

Details of materials, design and method of construction of cupboard in bedroom 2 (Condition 3 of H12-0309-10). APPROVED on 27/08/2010

H12-0129-11

Replacement of cement pointing, insertion of helibars, chemties and bowties to areas of defective brickwork and repairs to internal chimney structure. APPROVED on 21/04/2011

H12-0460-11

Re-instatement of shutter doors to north west windows of bedroom 3, cupboard over south facing window of bedroom 2 and doors at foot and top of stairs between kitchen and snug. APPROVED on 03/08/2011.

H12-0015-12

Change of use from residential to residential/bed and breakfast (retrospective). Declared as PERMITTED DEVELOPMENT on 23/01/2012.

H12-0014-12

Change of use from residential to residential/bed and breakfast (retrospective). APPROVED on 27/02/2012

H12-0095-12

Removal of airing cupboard containing hot water heating cylinder and boiler from utility room and replace with extended unvented system and boiler in garage. APPROVED on 05/04/2012

H12-0148-12

Proposed post and rail fence and wooden field gate. APPROVED on 04/05/2012

H11-0533-12

Internal alterations - cornice to first floor bedroom and amendment to panelled door surround. APPROVED on 03/09/2012

H12-0908-12

Proposed conversion of outbuilding to staff accommodation annexe. REFUSED on 19/12/2012

H12-0975-12

Proposed gazebo, shed, horse shelter, log store, trellis, dog kennels and bin store. APPROVED on 18/01/2013.

H12-0131-13

Large scale details of the gazebo (Condition 3 of H12-0975-12). APPROVED on 13/03/2013

H12-0592-13

Conversion of garage/store to create first floor office. APPROVED on 23/08/2013

H12-0812-13

Vehicular passing place, pull in and path to front of Garnsgate Hall (retrospective). REFUSED on 21/11/2013

H12-1086-13

Details of windows, doors and rooflights (Condition 3 of H12-0592-13). APPROVED on 03/03/2014

H12-0031-14

Replacement of timber gates with wrought iron gates and extension of path. APPROVED on 24/04/2014

H12-0030-14

Replacement of timber gates with wrought iron gates and extension of path. APPROVED on 24/04/2014

H12-0411-14

Details of footpath (Condition 3 of H12-0031-14). APPROVED on 09/06/2014

H12-0410-14

Details of footpath (Condition 3 of H12-0030-14). APPROVED on 09/06/2014

H12-0614-14

Re-instatement of cornice gutter, dormer windows, central chimney and re-furbishment of second floor. APPROVED on 10/10/2014

H12-0613-14

Re-instatement of cornice gutter, dormer windows, central chimney and re-furbishment of second floor. APPROVED on 10/10/2014

H12-0932-14

Landscaping including paved surface to rear of house and restoration of previously demolished garden boundary wall. APPROVED on 02/02/2015

H12-0642-15

Details submitted relating to constructional drawings, bricks and cornice (Conditions 3, 4 and 5 of H12-0614-14). APPROVED on 21/08/2015

H12-0641-15

Details submitted relating to constructional drawings, bricks and cornice (Conditions 3, 4 and 5 of H12-0613-14 (Full)). APPROVED on 21/08/2015

H12-0227-20

Change of use from "part bed and breakfast/part residential' back to full residential. APPROVED on 20/05/20

Consultation Responses

None received.

Planning Considerations

Heritage Impact

The Local Planning Authority does not consider that this proposal risks the character or significance of the designated heritage asset. Whilst photovoltaics would not be acceptable in the context of being fitted to a listed building in most instances, this proposal seeks to add them onto the roof of the modern, unlisted garage. This site is situated a fair distance away from the listed building and is separated from public views by a substantial distancing from the roadside. The proposal acts to introduce enhanced sustainability to a heritage property in a manner which avoids risk to the special interest of that property and therefore should be lauded as a positive and proactive step towards enhancement of the asset. However, from a character perspective, the proposal, by virtue of its lack of an impact, it assists in conserving the historic environment as is a requirement of S16 of the NPPF (2021).

Policy 31 of the SELLP - Renewables

Policy 31, Section B which governs proposals relating to development of renewable energy sources (inclusive of domestic solar panelling) states the following;

"With the exception of Wind Energy the development of renewable energy facilities, associated infrastructure and the integration of decentralised technologies on existing or proposed structures will be permitted provided, individually, or cumulatively, there would be no significant harm to:

1. visual amenity, landscape character or quality, or skyscape considerations;
2. residential amenity in respect of: noise, fumes, odour, vibration, shadow flicker, sunlight reflection, broadcast interference, traffic;
3. highway safety (including public rights of way);

4. agricultural land take;
5. aviation and radar safety;
6. heritage assets including their setting; and
7. the natural environment.

Provision should be made for post-construction monitoring and the removal of the facility and reinstatement of the site if the development ceases to be operational. (...)"

Evaluated against the above tests, the following is true of this proposal:

1. It is not anticipated that the proposal will cause any substantial impact - either positive or negative - upon visual amenity, the character of the surrounding landscape or the local skyscape. This is due to the small scale of the proposal and the limited visual access to the site from any residential or public land parcels nearby.

2. Residential amenity will not be impacted by this proposal in any sense. This is a small-scale non-articulating domestic solar array. Apart from the host property, there are no residential properties in close proximity to this site.

3. No impact upon highway safety is anticipated, as the proposal has no physical impact upon the highway and it is not anticipated that it's construction will translate into additional traffic along Lutton Garnsgate.

4. This proposal is not situated on agricultural land and therefore does not in any way impact upon availability or provision of agricultural land.

5. The proposal will have no impact upon aviation or radar safety.

6. As described in the above report section entitled 'Heritage Impact', it is understood that this proposal does not present any risk of harm to any heritage asset or its setting.

7. Such a development is not anticipated to have any impact upon the natural environment, apart from a positive one.

Furthermore, it is proposed to include a condition with an approval of this application that specifies that once no longer required or in need of replacement, the proposed installation be removed and made good.

Therefore, the LPA considers this application to be fully complaint with Policy 31 of the SELLP.

Conclusion

For the reasons listed above, this application is deemed to be in accordance with Policies 1, 2, 3, 29 and 31 of the SELLP (2019) as well as Sections 12, 14 and 16 of the NPPF(2021). Therefore, this application is recommended for approval.

Additional Considerations

Public Sector Equality Duty

In making this decision the Authority must have regard to the public sector equality duty (PSED) under s.149 of the Equalities Act. This means that the Council must have due regard to the need (in discharging its functions) to:
A. Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act
B. Advance equality of opportunity between people who share a protected characteristic and those who do not. This may include removing or minimising disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic; taking steps to meet the special needs of those with a protected characteristic; encouraging participation in public life (or other areas where they are underrepresented) of people with a protected characteristic(s).
C. Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.

The protected characteristics are age, disability, gender reassignment, pregnancy and maternity,

race, religion or belief, sex and sexual orientation.

The PSED must be considered as a relevant factor in making this decision but does not impose a duty to achieve the outcomes in s.149. It is only one factor that needs to be considered, and may be balanced against other relevant factors.

It is not considered that the recommendation in this case will have a disproportionately adverse impact on a protected characteristic.

Human Rights

In making a decision, the Authority should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as South Holland District Council to act in a manner that is incompatible with the European Convention on Human Rights. The Authority is referred specifically to Article 8 (right to respect for private and family life) and Article 1 of the First Protocol (protection of property).

It is not considered that the recommendation in this case interferes with local residents' right to respect for their private and family life, home and correspondence, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of the applicant). The Council is also permitted to control the use of property in accordance with the general public interest and the recommendation is considered to be a proportionate response to the submitted application based on the considerations set out in this report.